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**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. **2010-252**

**ANGELITA S. CACHOLA, AKA
ANGELITA SINGSON LAGASCA**
12406 Thornwood Drive
Bakersfield, California 93311

ACCUSATION

Registered Nurse License No. 370479

Respondent.

Louise R. Bailey M.Ed., RN, ("Complainant") alleges:

PARTIES

1. Complainant brings this Accusation solely in her official capacity as the Interim Executive Officer of the Board of Registered Nursing ("Board") Department of Consumer Affairs.

Registered Nurse License

2. On or about March 31, 1984, the Board issued Registered Nurse License Number 370479 to Angelita S. Cachola, also known as Angelita Singson Lagasca ("Respondent"). The registered nurse license will expire on December 31, 2009, unless renewed.

JURISDICTION

3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a

temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 118, subdivision (b), provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY PROVISIONS

6. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct. . . .,

7. Code section 2762 states, in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to the substances described in subdivision (a) of this section.

COST RECOVERY

8. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1 9. **DRUG**

2 **"Fentanyl"** is a Schedule II controlled substance as designated by Health and
3 Safety Code section 11055, subdivision (c)(8), and a dangerous drug under Code section 4022 in
4 that under federal or state law it requires a prescription.

5 **"Versed"**, a brand of midazolam, is a dangerous drug within the meaning of
6 Business and Professions Code section 4022, in that it requires a prescription under federal law.

7 **FIRST CAUSE FOR DISCIPLINE**

8 **(Inconsistent Entries in Patient/Hospital Records)**

9 10. Respondent is subject to discipline under Code section 2761, subdivision
10 (a), on the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (e),
11 in that in or about June 2005, while on duty as a registered nurse at Mercy Hospital, Bakersfield,
12 California, Respondent falsified, or made grossly incorrect, grossly inconsistent, or unintelligible
13 entries in hospital, patient, or other records pertaining to controlled substances or dangerous
14 drugs, as follows:

15 **Patient 1**

16 a. On June 4, 2005, Respondent withdrew 2 mg of Versed from the Pyxis
17 System for this patient and charted the administration of 1 mg of Versed in the patient's
18 medication administration record and nurses notes; however, Respondent failed to chart the
19 wastage of the remaining 1 mg of Versed until June 10, 2005, approximately 4 days after she
20 withdrew the medication.

21 **Patient 2**

22 b. On June 10, 2005, Respondent withdrew 2 mg of Versed from the Pyxis
23 System for this patient and charted the administration of 1 mg of Versed in the patient's
24 medication administration record and nurses notes; however, Respondent failed to chart the
25 wastage of the remaining 1 mg of Versed until June 13, 2005, approximately 3 days after she
26 withdrew the medication.

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Patient 3

c. On June 17, 2005, Respondent withdrew 2 mg of Versed from the Pyxis System for this patient and charted the administration of 1 mg of Versed in the patient's medication administration record and nurses notes; however, Respondent failed to chart the wastage of the remaining 1 mg of Versed until June 23, 2005, approximately 6 days after she withdrew the medication.

Patient 4

d. On June 20, 2005, Respondent withdrew 2 mg of Versed from the Pyxis System for this patient and charted the administration of 1 mg of Versed in the patient's medication administration record and nurses notes; however, Respondent failed to chart the wastage of the remaining 1 mg of Versed until June 23, 2005, approximately 3 days after she withdrew the medication.

Patient 5

e. On June 22, 2005, Respondent withdrew two, 2 mg syringes of Versed from the Pyxis System for a total of 4 mg of Versed for this patient and charted the administration of 2 mg of Versed in the patient's medication administration record and nurses notes; however, Respondent failed to chart the wastage of the remaining 2 mg of Versed until June 23, 2005, approximately 1 day after she withdrew the medication.

Patient 6

f. On June 23, 2005, Respondent withdrew 100 mcg of Fentanyl from the Pyxis System for this patient and charted the administration of 50 mcg of Fentanyl in the patient's medication administration record and nurses notes; however, Respondent failed to chart the wastage of the remaining 50 mcg of Fentanyl until June 27, 2005, approximately 4 days after she withdrew the medication.

Patient 7

g. On June 23, 2005, Respondent withdrew 2 mg of Versed and 100 mcg of Fentanyl from the Pyxis System for this patient and charted the administration of 1 mg of Versed and 50 mcg of Fentanyl in the patient's medication administration record and nurses notes;

1 however, Respondent failed to chart the wastage of the remaining 1 mg of Versed and 50 mcg of
2 Fentanyl until June 27, 2005, approximately 4 days after she withdrew the medication.

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Unprofessional Conduct)**

5 11. Respondent is subject to discipline under Code section 2761, subdivision
6 (a), on the grounds of unprofessional conduct, as more particularly set forth in paragraph 10,
7 above.

8 **PRAYER**

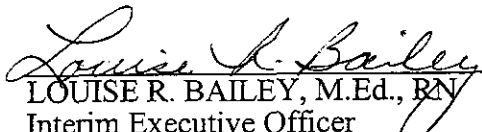
9 WHEREFORE, Complainant requests that a hearing be held on the matters herein
10 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

11 1. Revoking or suspending Registered Nurse License Number 370479, issued
12 to Angelita S. Cachola, also known as Angelita Singson Lagasca;

13 2. Ordering Angelita S. Cachola, also known as Angelita Singson Lagasca to
14 pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of
15 this case, pursuant to Code section 125.3; and,

16 3. Taking such other and further action as deemed necessary and proper.

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18 DATED: 11/4/09

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21 LOUISE R. BAILEY, M.Ed., RN
22 Interim Executive Officer
23 Board of Registered Nursing
24 Department of Consumer Affairs
25 State of California
26 Complainant